UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,190	07/31/2003	Ken L. Chang	K35A1300	3170

35219 7590 08/11/2006

WESTERN DIGITAL TECHNOLOGIES, INC.
ATTN: SANDRA GENUA
20511 LAKE FOREST DR.
E-118G
LAKE FOREST, CA 92630

EXAMINER	
BLOUIN, MARK S	

ART UNIT	PAPER NUMBER
2627	

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/633,190	CHANG ET AL.	
	Examiner	Art Unit	
	Mark Blouin	2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 July 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1,8,15, and 22 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,982,853. Although the conflicting claims are not identical, they are not patentably distinct from each other because both the first and second actuator arms made from "***a single flat sheet of material***" and a flex cable coupled to the actuator arm to send a signal to the head is inherent.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Ohba et al (USPN 6,982,853).

3. Regarding Claims 1,8,15,22, and 24, Ohba et al shows (Figs. 3-9), a disk drive, comprising a disk, a head stack assembly for reading and writing to the disk, the head stack assembly comprising an actuator arm assembly (180) stamped from a single flat sheet of material and comprising a first actuator arm (upper arm) portion defining a first latch portion (See Examiner's Drawing), a second actuator arm portion (lower arm) defining a second latch portion (See Examiner's Drawing) configured to latch with the first latch portion, an actuator arm-joining portion (See Examiner's Drawing) joining the

first actuator arm portion to the second actuator arm portion, and a first head gimbal assembly (Fig. 9, 15) coupled to the actuator arm assembly, and a second head gimbal assembly (Fig. 9, 15) coupled to the second actuator arm portion, the first actuator arm portion, the second actuator arm portion and the actuator arm joining portion being a single part made from the single flat sheet of material, rather than an assembly of sub-parts and a flex cable coupled to the first actuator arm portion and to the second actuator arm portion (inherent).

4. Regarding Claims 2,10, and 17, Ohba et al shows (Figs. 3-9), the disk drive wherein the actuator arm assembly is configured to pivot about a pivot axis and wherein the actuator arm-joining portion (See Examiner's Drawing) is configured to bend into an orientation that is substantially parallel to the pivot axis.

5. Regarding Claims 3,11, and 18, Ohba et al shows (Figs. 3-9), the disk drive, wherein the actuator arm assembly is configured to pivot about a pivot axis and wherein the first latch portion (See Examiner's Drawing) is configured to bend into an orientation that is substantially parallel to the pivot axis.

6. Regarding Claims 4,12, and 19, Ohba et al shows (Figs. 3-9), the head stack assembly, wherein the actuator arm assembly is configured to pivot about a pivot axis and wherein both the actuator arm-joining portion and the first latch portion shows latch portion are configured to bend into orientations that are substantially parallel to the pivot axis (See Examiner's Drawing).

7. Regarding Claims 5,13, and 20, Ohba et al shows (Figs. 3-9), the actuator arm assembly, wherein the first actuator arm portion (See Examiner's Drawing) includes a first surface defined by a thickness and a length of the first actuator arm portion and

wherein the second actuator arm portion (See Examiner's Drawing) includes a second surface defined by a thickness and a length of the second actuator arm portion and wherein prior to bending, the first surface faces and is parallel to the second surface.

8. Regarding Claims 6,14,21,25, and 26, Ohba et al shows (Figs. 3-9), the actuator arm, wherein the first actuator arm portion (See Examiner's Drawing) defines a first surface that defines a first through bore (See Examiner's Drawing), the second actuator arm portion (30) defines a second surface that defines a second through bore (See Examiner's Drawing) that is configured to align with the first through bore, and the first and second bores are fitted with a collar (See Examiner's Drawing) to stiffen the actuator arm assembly.

9. Regarding Claim 7 and 23, Ohba et al shows (Figs. 3-9), the actuator arm assembly, wherein the actuator arm-joining portion (See Examiner's Drawing) and the first latch portion (See Examiner's Drawing) are configured to bend such that a major surface of the first actuator arm portion faces and is substantially parallel to a major surface of the second actuator arm portion.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is 571-272-7583. The examiner can normally be reached on M-F from 6:00 to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen, can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark Blouin
Patent Examiner
Art Unit 2653
August 7, 2006

FIG. 6A

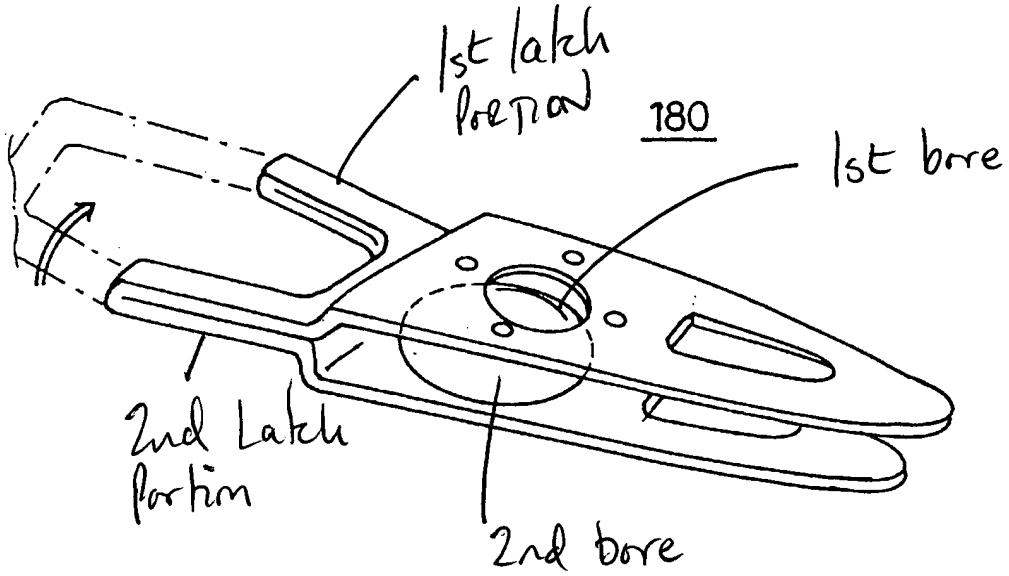
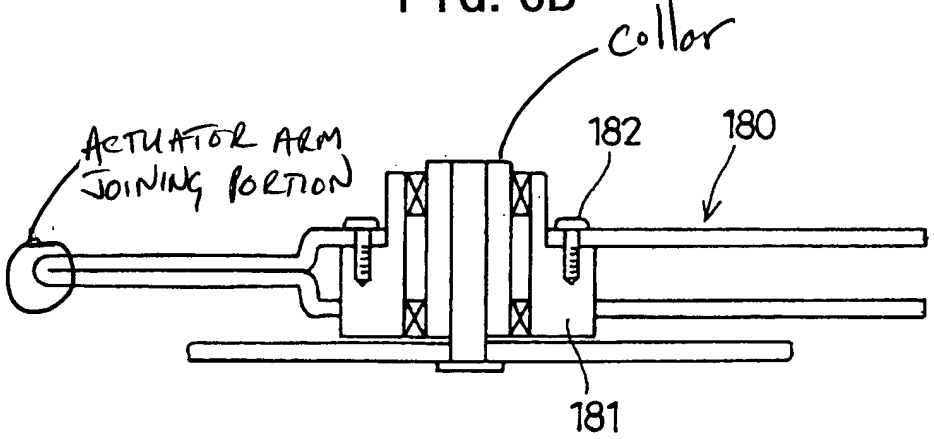


FIG. 6B



EXAMINER'S DRAWING